

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the action of August 18, 2005, the Examiner rejected claims 119-129 under the judicially created doctrine of obviousness-type double patent as being unpatentable over claims 1-9 of U.S. Patent No. 6,466,585.

In response to the Examiner's rejection, Applicant is filing a Terminal Disclaimer with this Reply. This terminal disclaimer hereby disclaims the terminal part of the term of any patent granted on the present application which would extend beyond the full statutory term of U.S. Patent 6,466,585, and hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,466,585 shall be the same as the legal title to any patent granted on present application, this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Applicant does not disclaim any terminal part of any patent granted on the present application, prior to the full statutory term of U.S. Patent 6,466,585 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,466,585 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,466,585 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Applicant does not disclaim any terminal part of a patent granted on the present application that would extend beyond the present termination of U.S. Patent 6,466,585, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Applicant's

right to extend the term of a patent granted on the present application to the extent provided by law.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

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